

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

- vs -

DWYLAN S. JOHNSON,

Appellant.

Criminal No. 11-0536 (JLL)

MOTION FOR EXTENSION OF TIME
TO FILE BRIEF ON APPEAL FROM
MAGISTRATE JUDGE JUDGMENT

TO: ERIC M. SCHWEIKER
ASSISTANT U.S. ATTORNEY
402 East State Street
Trenton, NJ 08608

PLEASE TAKE NOTICE that Appellant Dwylan S. Johnson hereby moves for an extension of time within which to file his Brief on Appeal to a date 21 days from Appellant's counsel's receipt of the transcript of proceedings before the Magistrate Judge. In support of this motion, Appellant relies upon the following certification of counsel:

- 1) On August 16, 2011, I was appointed to serve as CJA counsel for Appellant Dwylan S. Johnson in this appeal from a judgment entered by the Magistrate Judge.
- 2) At that time, I was away on vacation. I did not return to the office until Tuesday, August 30, 2011.
- 3) I will be ordering a transcript of proceedings in the Court below tomorrow.

4) I am unable to prepare an appellate brief until I have reviewed a transcript of trial-level proceedings.

5) Accordingly, the time within which Appellant is required to file his brief on appeal should be extended to a date 21 days from the date on which Counsel receives the transcript of trial-level proceedings.

Respectfully submitted,



Mark A. Berman

SO ORDERED:



HON. JOSE L. LINARES
United States District Judge

9/6/2011